

WEDNESDAY, MARCH 3, 1982

SEVENTY-SIXTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Barry Kidwell, Pastor, Goodfield Methodist Circuit, Meigs County.

Representative Bivens led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 94

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

The Speaker announced that Representative Johnson was excused because of death in family.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return the House, House Bills Nos.:

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1654--To create probate and family court, Cumberland County;

1660--To regulate bonds and notes, counties and municipalities;

1661--To amend Title 5, Chapter 10, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

232--Relative to honoring Gene "Pappy" Thompson; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1471--To regulate administering epinephrine, certain situations;

1511--To repeal Section 5-5-201, Code;

1531--To regulate executive clemency;

1563--To regulate allocation of fuels;

1610--To provide reemployment after retirement, certain situations;

1655--To enact Tennessee Right to Farm Act;

1735--To regulate scenic highways;

1737--To regulate scenic highways;

1760--To enact Municipal Budget Law of 1982;

1783--To amend Section 7-31-103, Code;

1785--To amend Section 63-1212, Code;

1786--To amend Title 49, Chapter 33, Code;

1813--To regulate use, certain waters;

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1820--To create massage registration board;

1943--To amend Section 55-21-108, Code;

1984--To regulate retention, highway patrolmen badges on retirement;

2031--To enact Tennessee Commission on Aging Act of 1982;

2280--To amend Chapter 253, Private Acts 1978; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1395, 1427, 1483, 1551, 1587, 1646, 1647, 1649, 1656, 1861 and 1970; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1537, 1675, 1707 and 1768; also, House Joint Resolutions Nos. 300, 325, 326, 328, 329, 330, 332, 333 and 334; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1395, 1427, 1483, 1537, 1551, 1587, 1646, 1647, 1649, 1656, 1675, 1707, 1768, 1861 and 1970; and House Joint Resolutions Nos. 300, 325, 326, 328, 329, 330, 332, 333 and 334; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1654, 1660 and 1661; House

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Resolution No. 103; and House Joint Resolutions Nos. 337, 338, 340, 342, 343 and 344; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills, Nos. 1345, 1460, 1464, 1590, 1596, 1601, 1611, 1618, 1649, 1650, 1679, 1749 and 1902; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1654, 1660 and 1661; House Resolutions Nos. 103; House Joint Resolutions Nos. 337, 338, 340, 342, 343 and 344; and Senate Bills Nos. 1345, 1460, 1464, 1590, 1596, 1601, 1611, 1618, 1649, 1650, 1679, 1749 and 1902.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1447--To amend Section 37-234, Code.

The Senate concurred in House Amendment No. 3 and nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1760--To fix term of office, certain constables; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 88, 656, 1447, 1448, 1473, 1476, 1533, 1534, 1580, 1623, 1633,

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1643, 1652, 1689, 1737, 1745, 1764, 1765, 1766, 1767, 1770, 1793, 1826, 1876, 1877, 1888 and 1892; and House Joint Resolutions Nos. 283, 284, 286, 287, 288, 290, 291, 292, 302, 304, 307, 309, 312, 317, 320, 321, 322, 327 and 331, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

CALENDAR

House Bill No. 1486--To authorize employment, special counsel.

On motion, House Bill No. 1486 was made to conform with Senate Bill No. 1629.

On motion, Senate Bill No. 1629, on same subject, was substituted for House Bill No. 1486.

Mr. Rhinehart moved that Senate Bill No. 1629 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	2
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --90.

Representatives voting no were: Martin and Stafford--2.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

House Bill No. 1487--To provide occupational exemption, subpoena.

Mr. Scruggs moved that House Bill No. 1487 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	93
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Cobb and Gaia--2.

A motion to reconsider was tabled.

House Bill No. 1475--To establish guidelines, military service retirement credit.

Mr. Akard moved that House Bill No. 1475 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

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House Bill No. 1572--To amend supplemental voter registration, certain counties.

On motion, House Bill No. 1572 was made to conform with Senate Bill No. 1634.

On motion, Senate Bill No. 1634, on same subject, was substituted for House Bill No. 1572.

Ms. Montgomery moved that Senate Bill No. 1634 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

House Bill No. 1622--To amend compensation of District Attorney General.

Mr. Rhinehart moved that House Bill No. 1622 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1622 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 8-7-105 is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following:

(a) Each district attorney general shall receive an annual salary of forty-six thousand six hundred seventy dollars and twenty-eight cents (\$46,670.28).

(b) On each July 1, the salary of each district attorney general shall be increased annually by the same percentage as the percentage increase in compensation received by state employees pursuant to the general appropriations act. Provided, however, that no such salary shall be increased after such increase results in a salary for such district attorneys general which is equal to ninety-five percent (95%) of the salary authorized by law for circuit court judges, chancellors and criminal court judges.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1622, as amended, passed its third and final consideration by the following vote:

Ayes	75
Noes	13
Present and not voting	7

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Withers, Wix, Work and Yelton--75.

Representatives voting no were: Bewley, Chiles, Copeland, Crain, Harrill, Henry (Roane), Moore, Shirley, Spence, Sterling, Whitson, Wolfe and Wood--13.

Representatives present and not voting were: DeBerry, Duncan, Gill, Owen, Stafford, Starnes and Turner--7.

A motion to reconsider was tabled.

House Bill No. 1543--To regulate determination of bail.

On motion, House Bill No. 1543 was made to conform with Senate Bill No. 1461.

On motion, Senate Bill No. 1461, on same subject, was substituted for House Bill No. 1543.

Mr. Kent moved that Senate Bill No. 1461 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1461 by deleting from subsection (g) of the amendatory language of Section 1 the words "defendant's reliability" and by substituting in lieu thereof the following:

"defendant's reliability, provided, however, no such member of the community may vouch for more than two (2) defendants at any time while charges are still pending, or a forfeiture is outstanding".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1461, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1838--To amend Section 7-54-101, Code.

On motion, House Bill No. 1838 was made to conform with Senate Bill No. 1522.

On motion, Senate Bill No. 1522, on same subject, was substituted for House Bill No. 1838.

Mr. Davis (Hamilton) moved that Senate Bill No. 1522 be passed on third and final consideration.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1522 So as:

1. To insert in paragraph (a) of Section 2 after the words "business trust, partnership, joint venture" the following words:

(provided, however, that as to any business trust, partnership, or joint venture in which any federal government corporation has direct, equitable or beneficial ownership, such business trust, partnership or joint venture shall not be included in the definition of "Person")

2. To delete in Section 7 (a) the words "for a period not exceeding ten years after the estimated date of commercial operation" and substitute therefor the words "for such period after the estimated date of commencement of operation (but not to exceed ten years) as determined to be reasonably necessary by the consulting engineer of record for the financial feasibility of the municipality's undertaking".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1522, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

House Bill No. 1839--To include coal within definition of projects.

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On motion, House Bill No. 1839 was made to conform with Senate Bill No. 1523.

On motion, Senate Bill No. 1523, on same subject, was substituted for House Bill No. 1839.

Mr. Davis (Hamilton) moved that Senate Bill No. 1523 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Shirley--1.

Representative present and not voting was: Percy--1.

A motion to reconsider was tabled.

House Bill No. 1634--To provide guidelines regarding accidents of emergency medical technicians.

Mr. Covington moved that House Bill No. 1634 be passed on third and final consideration.

Mr. Covington moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1634 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1634, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Chiles and Scruggs--2.

A motion to reconsider was tabled.

Mr. Shirley moved that House Bill No. 619 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1778--To regulate benefits for widows, confederate soldiers.

On motion, House Bill No. 1778 was made to conform with Senate Bill No. 1914.

On motion, Senate Bill No. 1914, on same subject, was substituted for House Bill No. 1778.

Mr. Yelton moved that Senate Bill No. 1914 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington,

Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1511--To define certain drug violations.

Mr. McNally moved that House Bill No. 1511 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representatives present and not voting were: Owen and Spence --2.

A motion to reconsider was tabled.

House Bill No. 1499--To change physical examination, boxers.

Mr. Miller moved that House Bill No. 1499 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1950--To regulate merger of banks.

Mr. Wheeler moved that House Bill No. 1950 be passed on third and final consideration.

Mr. Stafford requested a division of the question on Amendment No. 1.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1950

DIVISION 1

By striking Section 1 in its entirety and substituting a new section as follows:

"SECTION 1. Tennessee Code Annotated, Section 45-2-1302 (a), is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

(a) Subject to the provisions of Chapters 1 and 2 of this title, a state bank may convert into a resulting national bank or a bank in operation for at least five years shall have the right to merge with any other bank in operation for at least five years in this state. The action to be taken by such merging or converting state bank and its rights and liabilities and those of its stockholders shall be the same as those prescribed for national banks at the time of the action by the laws of the United States and not by the laws of this state, except that a vote of the holders

of two-thirds (2/3) of each class of voting stock of a state bank shall be required for the merger or conversion and that, on conversion by a state into a national bank, the rights of dissenting stockholders shall be those specified in Section 45-2-1309. Notwithstanding the provisions of 45-2-614, the resulting bank may create and operate branch banks in any county where the merging banks or any branch of either of the merging banks were located prior to the merger."

DIVISION 2

By striking Section 2 in its entirety and substituting in lieu thereof:

"SECTION 2. Tennessee Code Annotated, Section 45-2-1303, is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

Upon approval by the Commissioner, banks whose principal offices are located in this state and have been in operation for at least five years may be merged to result in a state bank; or a national bank may convert into a state bank as hereafter prescribed, except that the action by a national bank shall be taken in the manner prescribed by and shall be subject to limitations and requirements imposed by the laws of the United States, which shall also govern the rights of its dissenting shareholders. Notwithstanding the provisions of 45-2-614, the resulting bank may create and operate branch banks in any county where the merging banks or any branch of either of the merging banks were located prior to the merger.

Mr. Stafford moved that Division No. 1 of Amendment No. 1 be adopted, which motion prevailed.

Mr. McKinney moved that Division No. 2 of Amendment No. 1 be adopted.

Mr. Lashlee moved that the motion be tabled, which motion failed by the following vote:

Ayes	34
Noes	53
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Buck, Carter, Chiles, Crain, Davis (Gibson), Davis (Pickett), DePriest, Dispayne, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hurley, Kelley, King (Washington), Lashlee, McAfee, McNally, Phillips, Richardson, Robinson (Davidson), Sir, Stafford, Stallings, Wolfe, Wood, Work and Yelton--34.

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Representatives voting no were: Baker, Bell (Knox), Bewley, Bragg, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), Dills, Ellis, Gaia, Gill, Henry (Blount), Hudson, Huskey, Jones, Kent, Kernell, King (Shelby), Love, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Spence, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers and Wix--53.

Representatives present and not voting were: Percy and Shockley--2.

Thereupon, on motion, Division No. 2 of Amendment No. 1 was adopted.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1950 by deleting Section 2 in its entirety and renumbering subsequent sections accordingly.

Mr. Wheeler moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	56
Noes	31
Present and not voting	2

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bragg, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), Dills, Ellis, Gaia, Gill, Henry (Blount), Hudson, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers and Wix--56.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Buck, Carter, Crain, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hurley, Kelley, Lashlee, McNally, Percy, Phillips, Richardson, Robinson (Davidson), Sir, Stafford, Stallings, Wolfe, Work and Yelton--31.

Representatives present and not voting were: McAfee and Wood--2.

Mr. Severance moved the previous question, which motion failed.

Ms. DeBerry moved that the House adjourn until 10:00 a.m. tomorrow, which motion failed.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	67
Noes	16
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Byrd, Carter, Clark (Davidson), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Stallings, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson and Wix--67.

Representatives voting no were: Bell (Knox), Clark (Sumner), Crain, DePriest, Duncan, Henry (Roane), Hillis, McNally, Phillips, Robertson, Sir, Smith, Stafford, Wolfe, Wood and Yelton--16.

Representatives present and not voting were: Brewer, Burnett, Cobb, DeBerry, Work and Mr. Speaker McWherter--6.

Thereupon, House Bill No. 1950, as amended, passed its third and final consideration by the following vote:

Ayes	53
Noes	40
Present and not voting	2

Representatives voting aye were: Baker, Bell (Knox), Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Davis (Hamilton), Dills, Ellis, Gaia, Gill, Henry (Blount), Hudson, Huskey, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, Martin, Miller, Montgomery, Murphy (Shelby), Naifeh, Owen, Pruitt, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wood and Mr. Speaker McWherter--53.

Representatives voting no were: Akard, Bell (Wilson), Bewley, Bivens, Buck, Carter, Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hurley, Kelley, Lashlee, McNally, Moore, Murray, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Sir, Stafford, Stallings, Wix, Wolfe, Work and Yelton--40.

Representatives present and not voting were: DeBerry and Murphy (Davidson)--2.

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A motion to reconsider was tabled.

House Bill No. 1549--To make certain provisions, certified tax rates.

On motion, House Bill No. 1549 was made to conform with Senate Bill No. 1808.

On motion, Senate Bill No. 1808, on same subject, was substituted for House Bill No. 1549.

Mr. Copeland moved that Senate Bill No. 1808 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 1811--To provide mechanism, certain claims, petroleum products.

On motion, House Bill No. 1811 was made to conform with Senate Bill No. 1935.

On motion, Senate Bill No. 1935, on same subject, was substituted for House Bill No. 1811.

Mr. Naifeh moved that Senate Bill No. 1935 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain,

Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1941--To enact the "Oversight of Federal Funds Act".

Mr. Burnett moved that House Bill No. 1941 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1941 by deleting the word "eminating" from Section 5 and by substituting instead the word "emanating".

On motion, the amendment was adopted.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1941 by adding the following language to the end of Section 3:

The Commission shall contain three (3) members in addition to the members designated pursuant to the preceding sentence. Such additional members shall be appointed by the governor for terms of office to coincide with the governor's term of office. One (1) such appointee shall be an elected county or municipal government official and two (2) of such appointees shall be persons who are neither officials nor employees of any governmental entity.

Mr. Burnett moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	39

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland,

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Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--57.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jones, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--39.

Mr. Brewer moved that the House adjourn until 10:00 a.m. tomorrow, which motion failed.

Mr. Duncan moved that House Bill No. 1941 be tabled, which motion failed by the following vote:

Ayes	38
Noes	54
Present and not voting	3

Representatives voting aye were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--38.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--54.

Representatives present and not voting were: Jones, Owen and Wallace--3.

Mr. Stafford moved that the House adjourn until 10:00 a.m. tomorrow, which motion failed by the following vote:

Ayes	40
Noes	51

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Representatives voting aye were: Baker, Bell (Knox), Bewley, Brewer, Byrd, Carter, Clark (Davidson), Clark (Sumner), DeBerry, Duer, Duncan, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Jones, Kent, Kernell, King (Shelby), King (Washington), McAfee, Montgomery, Moore, Murphy (Shelby), Percy, Robertson, Scruggs, Severance, Shockley, Small, Smith, Stafford, Turner, Ussery, Whitson, Withers, Wolfe and Wood--40.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Ford, Gaia, Gill, Hillis, Jared, Kelley, Lashlee, Love, McKinney, McNally, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Stallings, Starnes, Sterling, Tanner, Wallace, Wix, Work, Yelton and Mr. Speaker McWherter--51.

Mr. Henry (Roane) moved that House Bill No. 1941 be re-referred to the Committee on Calendar and Rules.

Mr. McKinney moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	43

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Lashlee, Love, McKinney, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Stallings, Starnes, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter --50.

Representatives voting no were: Baker, Bell (Knox), Bewley, Brewer, Carter, Clark (Sumner), Duer, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), McAfee, McNally, Martin, Moore, Murphy (Shelby), Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Withers, Wolfe and Wood--43.

Ms. Gaia moved the previous question, which motion failed by the following vote:

Ayes	50
Noes	38
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland,

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Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Sir, Stallings, Starnes, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--50.

Representatives voting no were: Baker, Bell (Knox), Bewley, Brewer, Carter, DeBerry, Duer, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jones, Kelley, Kent, King (Shelby), McAfee, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Percy, Robertson, Scruggs, Severance, Smith, Spence, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--38.

Representative present and not voting was: Wallace--1.

Ms. DeBerry moved that the House stand in recess for 15 minutes, which motion failed by the following vote:

Ayes	25
Noes	60
Present and not voting	3

Representatives voting aye were: Baker, Bivens, Brewer, Cobb, Davis (Hamilton), DeBerry, Duer, Gaia, Henry (Roane), Kernell, King (Shelby), Montgomery, Moore, Murphy (Shelby), Pruitt, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Shirley, Spence, Turner, Ussery, Whitson and Withers--25.

Representatives voting no were: Akard, Bell (Knox), Bell (Wilson), Bragg, Buck, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Washington), Lashlee, McAfee, McKinney, McNally, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Sterling, Tanner, Wallace, Webb, Wheeler, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--60.

Representatives present and not voting were: Burnett, Hillis and Starnes--3.

Thereupon, House Bill No. 1941, as amended, passed its third and final consideration by the following vote:

Ayes	55
Noes	35
Present and not voting	3

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis

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(Pickett), DePriest, Dills, Disspayne, Ellis, Ford, Gaia, Gill, Hillis, Hurley, Jared, Kernell, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wallace, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--55.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Clark (Sumner), DeBerry, Duer, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Jones, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--35.

Representatives present and not voting were: Brewer, King (Shelby) and Small--3.

A motion to reconsider was tabled.

STATEMENT ON HOUSE BILL NO. 1941

Dear Mr. Speaker,

Pursuant to Rule No. 29 of the Rules of Order of the House of Representatives of the Ninety-Second General Assembly, we the undersigned do hereby express our desire to have our votes on HB 1941, i. e. the Oversight of Federal Funds Act, changed from "aye" to "no" and to have this statement entered upon the journal for the purpose of expressing our opposition to such bill. We, the undersigned, voted under the mistaken impression that we were voting on a motion to put the previous question on HB 1941.

Respectfully submitted,

Rep. Bruce Hurley

Rep. Nathan Ford

STATEMENT ON HOUSE BILL NO. 1941

Mr. Speaker:

I would like for the Journal to reflect that my vote in the negative on House Bill 1941 was cast by me under the impression that the House was voting on the previous question and not bill on 3rd and final consideration. Understanding that we were voting under the Rule, I respectfully request that the Journal reflect my desire to vote aye in the affirmative on House Bill 1941 on its 3rd and final consideration.

REP. LOIS DeBERRY

House Bill No. 1783--To regulate uninsured motorist insurance.

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Mr. Wallace moved that House Bill No. 1783 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative present and not voting was: Withers--1.

A motion to reconsider was tabled.

Mr. Ellis moved that House Bill No. 2043 be placed on the Calendar for Thursday, March 11, 1982, which motion prevailed.

House Bill No. 1573--To enact State Special School Teachers Sick Leave Bank Act.

Mr. Scruggs moved that House Bill No. 1573 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler,

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Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1059--To regulate occupation of cosmetology.

On motion, House Bill No. 1059 was made to conform with Senate Bill No. 248.

On motion, Senate Bill No. 248, on same subject, was substituted for House Bill No. 1059.

Ms. Bell (Knox) moved that Senate Bill No. 248 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 248 by deleting from subsection (a) of the amendatory language in Section 5 items (1), (2), and (3) thereunder and substituting the following:

(1) a non-refundable examination fee of twenty dollars (\$20.00); and

(2) satisfactory proof that the applicant has attained the age of at least sixteen (16) years, and has completed a course of instructions of not less than fifteen hundred (1500) hours at a school of cosmetology.

AND FURTHER AMEND BY:

deleting from subsection (b) of the amendatory language in Section 5 items (1), (2), and (3) thereunder and substituting the following:

(1) a non-refundable examination fee of fifteen dollars (\$15.00); and

(2) satisfactory proof that the applicant has attained the age of at least sixteen (16) years, and has completed a course of instruction of not less than three hundred (300) hours in practice and theory at a school of cosmetology.

AND FURTHER AMEND BY:

deleting from the last sentence of subsection (a) of the amendatory language in Section 7 the words "and a certificate of good health signed by a duly licensed physician".

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AND FURTHER AMEND BY:

deleting the last sentence of the amendatory language in Section 10.

AND FURTHER AMEND BY:

deleting from subsection (c)(1) of the amendatory language in Section 18 items (i), (ii), and (iii) thereunder and substituting the following:

(i) has attained the age of at least sixteen (16) years; and

(ii) has completed at least two (2) years of high school or the equivalent thereof.

AND FURTHER AMEND BY:

deleting from Section 25 the numerals "1981" and substituting the numerals "1982".

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 248 by deleting from subsection (c) (4) of the amendatory language in Section 5 the words, numerals, and symbols "fifteen dollars (\$15.00)" and substituting the words, numerals, and symbols "twelve dollars (\$12.00)".

AND FURTHER AMEND BY:

deleting from subsection (a) of the amendatory language in Section 7 the figures "\$15.00", "\$15.00", and "\$25.00", and substituting the figures "\$12.00", "\$12.00", and "\$20.00", respectively.

AND FURTHER AMEND BY:

deleting all amendatory language in Section 10 following the word and punctuation mark "fee." and substituting the following:

Cosmetologist \$12.00

Shampooer and Manicurist \$12.00

Instructor \$20.00

Notwithstanding the provisions of Section 56-1-302(9), the director may extend the term of a certificate or license to a maximum of two (2) years. The fee for such certificate or license shall be appropriately increased and specified in the rules adopted pursuant to that Section.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 248, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	3
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Dissspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: McNally, Miller and Work--3.

Representatives present and not voting were: DePriest and Robinson (Hamilton)--2.

A motion to reconsider was tabled.

House Bill No. 1455--To set retirement benefits for former governors.

On motion, House Bill No. 1455 was made to conform with Senate Bill No. 1521.

On motion, Senate Bill No. 1521, on same subject, was substituted for House Bill No. 1455.

Mr. Rhinehart moved that Senate Bill No. 1521 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1521 by deleting Section 3 in its entirety and renumbering the remaining sections accordingly.

On motion, the amendment was adopted.

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Thereupon, Senate Bill No. 1521, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

On motion, Senate Bill No. 1466 was recalled from the Committee on Finance, Ways and Means.

House Bill No. 1717--To regulate local option taxes.

On motion, House Bill No. 1717 was made to conform with Senate Bill No. 1466.

On motion, Senate Bill No. 1466, on same subject, was substituted for House Bill No. 1717.

Mr. Rhinehart moved that Senate Bill No. 1466 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson,

Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --92.

Representative voting no was: King (Washington)--1.

Representatives present and not voting were: Miller and Owen--2.

A motion to reconsider was tabled.

House Bill No. 1911--To amend Retailers Sales Tax Act.

On motion, House Bill No. 1911 was made to conform with Senate Bill No. 1732.

On motion, Senate Bill No. 1732, on same subject, was substituted for House Bill No. 1911.

Mr. Rhinehart moved that Senate Bill No. 1732 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --92.

Representative voting no was: King (Washington)--1.

Representatives present and not voting were: Miller and Owen--2.

A motion to reconsider was tabled.

House Bill No. 2117--To provide for apportionment, Knox County School Board.

On motion, House Bill No. 2117 was made to conform with Senate Bill No. 2269.

On motion, Senate Bill No. 2269, on same subject, was substituted for House Bill No. 2117.

Mr. Scruggs moved that Senate Bill No. 2269 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2269 in Section 2 by adding at the end of amendatory Section 18 a new sentence as follows:

Provided, however, that in the event the Knox County and Knoxville city school systems are merged, then the school board districts shall be reapportioned and submitted to the general assembly as an amendment to this Act, and properly approved before it shall take effect. Provided, further, the reapportionment plan required by the preceding sentence shall be submitted to the general assembly and approved prior to the May 1984 election.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2269, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative voting no was: Covington--1.

A motion to reconsider was tabled.

House Bill No. 2124--To change juvenile jurisdiction, Maury County.

Mr. Richardson moved that House Bill No. 2124 be passed on third and final consideration.

Mr. Richardson moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2124 by deleting from the amendatory language of Section 1 the third sentence in its entirety and by substituting instead the following language:

The judge presiding over Part I of such court is hereby designated as the administrative head of the court for all matters relating to juveniles. The judge presiding over Part I of such court shall be learned in the law as evidenced by a license to practice law in the state of Tennessee.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2124, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Ford moved that House Bill No. 2189 be placed on the Calendar for Wednesday, March 10, 1982, which motion prevailed.

House Bill No. 1846--To create massage registration board.

On motion, House Bill No. 1846 was made to conform with Senate Bill No. 1820.

On motion, Senate Bill No. 1820, on same subject, was substituted for House Bill No. 1846.

Mr. Wood moved that Senate Bill No. 1820 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1820 by deleting the words "county legislative body" from the first sentence of the amendatory language of Section 1 and by substituting instead the words "county executive of such counties".

AND FURTHER AMEND by deleting the words "the county legislative body" from the third sentence of the amendatory language of Section 1, and by substituting instead the words "such county executive".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1820, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 232--Relative to honoring Gene "Pappy" Thompson.

Under the rules, Senate Joint Resolution No. 232 was referred to the Committee on Calendar and Rules.

Mr. Gill moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 237 out of order, which motion prevailed.

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Senate Joint Resolution No. 237--Relative to honoring Otis Jackson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Gill, the resolution was concurred in.

A motion to reconsider was tabled.

On motion of Mr. Work, House Bill No. 2178 was recalled from the Senate for further consideration.

Ms. Duer moved that the rules be suspended for the purpose of considering House Bill No. 1816 out of order, which motion prevailed.

House Bill No. 1816--To set privilege tax, Cumberland County.

On motion, House Bill No. 1816 was made to conform with Senate Bill No. 1910.

On motion, Senate Bill No. 1910, on same subject, was substituted for House Bill No. 1816.

Ms. Duer moved that Senate Bill No. 1910 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--93.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 358--Relative to congratulating Darrell Waltrip--By Frensley.

Under the rules, House Joint Resolution No. 358 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 359--Relative to crime prevention programs, department of correction--By Whithers, Murphy (Shelby), DeBerry, Spence and Jones.

The Speaker referred House Joint Resolution No. 359 to the Committee on State and Local Government.

INTRODUCTION OF BILLS

House Bill No. 2211--To regulate foreign owned corporations--By Murphy (Davidson).

Passed first consideration.

House Bill No. 2212--To define duties, general sessions court, Bledsoe County--By Rhinehart.

Passed first consideration.

House Bill No. 2213--To enact redevelopment plans of housing authorities--By Copeland.

Passed first consideration.

House Bill No. 2214--To provide for Board of Education, Chester County--By Kelley and Wolfe.

Passed first consideration.

House Bill No. 2215--To authorize a privilege tax, certain counties--By Stafford and Duer.

Passed first consideration.

House Bill No. 2216--To authorize privilege tax, Hamblen County--By Shockley.

Passed first consideration.

House Bill No. 2217--To authorize privilege tax, city of Morristown--By Shockley.

Passed first consideration.

House Bill No. 2218--To provide consumer protection--By Scruggs.

Passed first consideration.

House Bill No. 2219--To amend Chapter 278, Private Acts, 1955--By Kelley.

Passed first consideration.

House Bill No. 2220--To increase litigation tax, Wilson County--By Bell (Wilson).

Passed first consideration.

House Bill No. 2221--To amend Chapter 33, Title 56, Code--By Stafford.

Passed first consideration.

House Bill No. 2222--To regulate billboard size and spacing requirements--By Baker and Montgomery.

Passed first consideration.

House Bill No. 2223--To amend "The Financial Responsibility Law of 1977"--By Wheeler, Jared, Robinson (Davidson), Rhinehart, Davis (Pickett), Yelton, Huskey and Clark (Sumner).

Passed first consideration.

House Bill No. 2224--To amend Title 8, Chapter 50, and Title 2, Code--By Smith and Scruggs.

Passed first consideration.

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House Bill No. 2225--To amend Title 4, Chapter 14, Code--By Henry (Roane).

Passed first consideration.

House Bill No. 2226--To levy mineral severance tax, Weakley County--By Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2227--To authorize admission tax, certain amusements--By Bell (Knox).

Passed first consideration.

House Bill No. 2228--To increase amount of bonds, Housing Development Agency--By Burnett, Tanner, Lashlee, Bragg, and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2229--To amend Section 67-3054, Code--By McKinney.

Passed first consideration.

House Bill No. 2230--To provide for inspection, bodies of water--By Brewer, King (Shelby), Kernell, Jones, Turner, Murphy (Shelby) and Pruitt.

Passed first consideration.

House Bill No. 2231--To regulate administration, block grant funds--By Brewer, King (Shelby), Withers, Jones, Murphy (Shelby) and Pruitt.

Passed first consideration.

House Bill No. 2232--To increase salaries, general sessions judges--By Murphy (Davidson).

Passed first consideration.

House Bill No. 2233--To set compensation members, board of law examiners--By Murphy (Davidson).

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1471--To regulate administering epinephrine, certain situations.

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Passed first consideration.

Senate Bill No. 1511--To repeal Section 5-5-201, Code.

Passed first consideration.

Senate Bill No. 1531--To regulate executive clemency.

Passed first consideration.

Senate Bill No. 1563--To regulate allocation of fuels.

Passed first consideration.

Senate Bill No. 1610--To provide reemployment after retirement, certain situations.

Passed first consideration.

Senate Bill No. 1655--To enact Tennessee Right to Farm Act.

Passed first consideration.

Senate Bill No. 1735--To regulate scenic highways.

Passed first consideration.

Senate Bill No. 1737--To regulate scenic highways.

Passed first consideration.

Senate Bill No. 1760--To enact Municipal Budget Law of 1982.

Passed first consideration.

Senate Bill No. 1783--To amend Section 7-31-103, Code.

Passed first consideration.

Senate Bill No. 1785--To amend Section 63-1212, Code.

Passed first consideration.

Senate Bill No. 1786--To amend Title 49, Chapter 33, Code.

Passed first consideration.

Senate Bill No. 1813--To regulate use, certain waters.

Passed first consideration.

Senate Bill No. 1943--To amend Section 55-21-108, Code.

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Passed first consideration.

Senate Bill No. 1984--To regulate retention, highway partolmen badges on retirement.

Passed first consideration.

Senate Bill No. 2031--To enact Tennessee Commission on Aging Act of 1982.

Passed first consideration.

Senate Bill No. 2280--To amend Chapter 253, Private Acts, 1978.

Passed first consideration.

SENATE BILL ON SECOND CONSIDERATION

Senate Bill No. 1599--To amend Title 56, Chapter 13, Code.

Passed second consideration and referred to Committee on Commerce.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2201--To regulate transportation of certain products.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2202--To create a thirty-second judicial circuit, certain counties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2203--To regulate captive insurance companies.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2204--To establish board of commissioners, certain districts.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2205--To make certain provisions, medical assistance.

Passed second consideration and referred to Committee on General Welfare.

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House Bill No. 2206--To redesignate certain exit signs, I-40.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 2207--To amend Section 36-909, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2208--To authorize privilege tax on lodgings, Lake County.

Passed second consideration and referred to Committee on held without reference.

House Bill No. 2209--To enact "Credit Availability Act of 1982".

Passed second consideration and referred to Committee on Commerce.

House Bill No. 2210--To regulate Industrial Development Corporation.

Passed second consideration and referred to Committee on State and Local Government.

STANDING COMMITTEE REPORTS

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1882 and 2157; and further recommend that pursuant to House Rule No. 70, House Bill No. 2157 be referred to the Committee on Finance, Ways and Means.

PICKERING, Chairman.

Under the rules, House Bill No. 1882 was transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 2157 to the Committee on Finance, Ways and Means.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1582 (with amendment), 1752 (with amendment), 1922 (with

amendment), 2005 and 2060.

MURRAY, Chairman.

Under the rules, House Bills Nos. 1582, 1752, 1922, 2005 and 2060 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1758, 1914 (with amendments), 1988 (with amendment); and House Resolution No. 101.

HILLIS, Chairman.

Under the rules, House Bills Nos. 1758, 1914, 1988 and House Resolution No. 101 were transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 293 (with amendment), 1474, 1558 (with amendment), 1750, 1796 and 1913 (with amendments); and House Joint Resolution No. 308.

LASHLEE, Chairman.

Under the rules, House Bills Nos. 293, 1474, 1558, 1750, 1796, 1913 and House Joint Resolution No. 308 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1613, 1639, 1651 and 2022.

BRAGG, Chairman.

Under the rules, House Bills Nos. 1613, 1639, 1651 and 2022 were transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1559, 1638 and 2151; and further recommend that House Bill No. 2151 be referred to the Committee on General Welfare.

DAVIS (Hamilton), Chairman.

Under the rules, House Bills Nos. 1559 and 1638 were transmitted to the Committee on Calendar and Rules.

The Speaker referred House Bill No. 2151 to the Committee on General Welfare.

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GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1570 (with amendment), 1904 (with amendment), 2116, 2120 and 2151 (with amendment).

STARNES, Chairman.

Under the rules, House Bills Nos. 1570, 1904, 2116, 2120 and 2151 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1409, 1616, 1631, 1773 (with amendment), 1874, 1884, 1909, 1955, 2018, 2030 and 2036.

MURPHY (Shelby), Chairman.

Under the rules, House Bills Nos. 1409, 1616, 1631, 1773, 1874, 1884, 1909, 1955, 2018, 2030 and 2036 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1085, 1552 (with amendment), 1561, 1664, 1875, 1893, 1937, 1939, 1956, 1966, 1994 and House Resolution No. 99.

MILLER, Chairman.

Under the rules, House Bills Nos. 1085, 1552, 1561, 1664, 1875, 1893, 1937, 1939, 1956, 1966, 1994 and House Resolution No. 99 were transmitted to the Committee on Calendar and Rules.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1614 (with amendment), 1734 (with amendment), 1916, 1942 (with amendment), 2004, 2058 (with amendment) and 2158.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 1614, 1734, 1916, 1942, 2004, 2058 and 2158 were transmitted to the Committee on Calendar and Rules.

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REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 4, 1982: House Bills Nos. 1947, 1948, 1620, 1730, 1453, 1488, 1519, 1444, 1921, 1917, 1812, 1813, 1849, 1759, 1733, 1957, 1958, 1567 and 1568.

GILL, Chairman.

MOTIONS

On motion of Mr. Bivens, House Bill No. 1605 was recalled from the Committee on State and Local Government.

On motion of Mr. Bivens, House Bill No. 1605 was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1575--Wheeler

House Bill No. 1634--Disspayne, Clark (Davidson)

House Bill No. 1778--Phillips, Bragg

House Bill No. 1792--Miller (co-prime)

House Bill No. 2014--Montgomery (co-prime)

House Bill No. 2194--Bell (Wilson)

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1475, 1487, 1499, 1511, 1573, 1622, 1634, 1783, 1941, 1950 and 2124; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Bragg, the House adjourned until 10:00 a.m. tomorrow.